

REMARKS

Independent claim 1 is amended to include the limitations of claim 4, which is now canceled, and independent claims 13 and 14 are similarly amended. Claims 2, 3, 5, 9, 11, 15, and 16 are also canceled. The amendments to the claims are made for purposes of expediting prosecution, and applicants reserve the right to pursue subject matter of the original claims (prior to amendment) and subject matter of the canceled claims in subsequent prosecution.

New claims 17-20 are added to claim the invention in alternative language. The claims are thought to be patentable over the prior art because combination of limitations does not appear to be suggested by the prior art. Independent claim 17 is directed to a method for automating operations of a computing arrangement coupled to a message processor. The method includes defining a plurality of command queues in a pattern database, each command queue having storage available for a plurality of commands. A plurality of pattern definitions and response definitions are also defined in the pattern database. Each pattern definition is associated with one or more associated response definitions, and one or more of the response definitions includes one or more commands and one or more instruction. Each of the one or more instructions specifies queuing of a command to a designated one of the command queues. Message character strings are received at the message processor, and the pattern database is searched for pattern definitions that match the message character strings. For each pattern definition that matches a received message character string and in response to an instruction associated with the pattern definition and that designates a selected command queue, the command specified by the instruction is added to the selected command queue. Commands are dequeued from the command queues in a selected command-queue-relative order and submitted to the computing arrangement. Support for the designation of a specific queue and for the order of queue processing may be found in the specification at: page 6, line 31 – page 7, line 16; and in the Appendix to the specification at: page 1, line 48 – page 2, line 71; page 6, lines 265–286, for example.

The traversals of the claim rejections of the Office Action dated May 17, 2005 and the arguments presented in response to those rejections as set forth in the paper dated August 17, 2005 are maintained and incorporated by reference in this response and are supplemented below.

The Office Action fails to show that claims 1-6, 8-11 and 13-16 are anticipated by US Patent Publication 2001/0010056 to Nishigaya et al. ("Nishigaya") under 35 USC §102(e). The rejection is respectfully traversed because the Office Action fails to show that all the limitations of the claims are taught by Nishigaya.

The limitations of independent claim 1, which is amended to include the limitations of claim 4, include defining in the pattern database a plurality of pattern definitions and response definitions, each pattern definition being associated with one or more associated response definitions, and one or more of the response definitions including one or more commands and one or more instructions, wherein each of the one or more instructions specifies queuing of a command to a designated one of the command queues, and for each pattern definition that matches a received message character string and in response to an instruction associated with the pattern definition and that designates a selected command queue, adding the command specified by the instruction to the selected command queue. These limitations are clearly not shown to be taught by Nishigaya.

For example, the pattern definitions include one or more of the response definitions including both one or more commands and one or more instructions. Each instruction specifies queuing of a command to a designated one of a plurality of command queues.

Nishigaya is not shown to teach instructions in combination with the commands. Nishigaya's actions are put in an action list without any specification by an instruction [0069]. Furthermore, Nishigaya has no apparent specification of one of a plurality of command queues by the instructions.

Claim 1 includes additional limitations of, for a pattern definition that matches a command prompt message character string from the data storage system, dequeuing commands from the command queues in order of the priority levels of the command queues and submitting the commands to the data storage system. It is respectfully

submitted that the cited paragraph [0075] of Nishigaya contains no apparent reference to a command prompt message character string. There is no element in this paragraph that in any apparent manner corresponds to the claimed command prompt message character string as would be understood to those skilled in the art. Thus, these and related limitations are not shown to be taught by Nishigaya. Further explanation is respectfully requested if the rejection is maintained. Otherwise, the rejection should be withdrawn.

Claims 13 and 14 include limitations similar to those of claim 1, and claims 6, 8, 10, and 14 depend from the claims discussed above. Therefore, claims 6, 8, 13 and 14 are not shown to be anticipated for at least the reasons set forth above.

Claims 2, 3, 5, 9, 15, and 16 are canceled, and the rejection of these claims is moot.

The rejection of claims 1, 6, 8, 13, 14 should be withdrawn because the limitations are not shown to be taught by Nishigaya.

The Office Action does not establish that claims 7 and 12 are unpatentable under 35 USC §103(a) over Nishigaya as applied to claims 1-6, 8-11 and 13-16 above, and in view of "Li" (U.S. Patent No. 6,374,207 to Li et al.). The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of Nishigaya with teachings of Li, and fails to show that the combination could be made with a reasonable likelihood of success.

The Office Action fails to show that Nishigaya teaches the limitations of the base claim and intervening claims for claims 7 and 12 as explained above.

The alleged motivation for combining Li with Nishigaya is conclusory and improper. The alleged motivation states that "it would have been obvious ... to implement Nishigaya method employing terminal emulation session to establish a connection between the operation processor and the data storage device, in order to improve the interaction between a client and a resource by allowing accessing and sending command to the resource remotely." This alleged motivation does not present any evidence that Nishigaya's system is deficient in any way in the manner of

"interaction between a client and a resource." Nor is any evidence presented to indicate which elements of Nishigaya's system would be improved. Furthermore, without such evidence it is not apparent that the combination could be made with a reasonable likelihood of success.

The Examiner's response to this states "that Nishigaya does not allow access from a remote location; on the other hand, using terminal emulation application such as telnet is well known in the art for remote accessing [and that] the improvement and likelihood of success are apparent because terminal emulation is a well established application and widely available, and adding terminal emulation would allow remote access to Nishigaya's system from a remote location." This reasoning simply states the function of terminal emulation to support modifying Nishigaya. Once again, there is no evidence presented that suggests how or why terminal emulation would be suitable for Nishigaya's invention, since Nishigaya's invention is already described as being remote accessible ("applicable to distributed-object-oriented platforms such as CORBA, DCOM, and Java RMI" [0003]). Nor is there any evidence that Nishigaya is even amenable to modification with terminal emulation. Thus, the alleged motivation is improper.


The rejection of claims 7 and 12 over the Nishigaya-Li combination should be withdrawn because a *prima facie* case of obviousness has not been established.

No extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (USYS.028PA).

Respectfully submitted,

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